

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

February 19, 2008

Charles R. Fulbruge III
Clerk

No. 06-61097
Summary Calendar

ROBERT C JONES

Plaintiff-Appellant

v.

CHRISTOPHER B EPPS, Commissioner of Mississippi Department of
Corrections; RONALD KING, Superintendent; GLENN SPANN, Administrator

Defendants-Appellees

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:06-CV-161

Before GARWOOD, GARZA and OWEN, Circuit Judges.

PER CURIAM:*

Robert C. Jones, Mississippi prisoner # R5912, filed a 42 U.S.C. § 1983 complaint alleging that he was exposed to inhumane conditions of confinement during his nine-month stint in the South Mississippi Correctional Institution II Lockdown Unit. He sought injunctive relief as well as monetary damages. The magistrate judge (MJ) dismissed the complaint with prejudice following an omnibus hearing on Jones's claims.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Jones argues that the MJ erred in dismissing his case as moot. The MJ dismissed only Jones's request for injunctive relief as moot because Jones was no longer housed in the Lockdown Unit. Jones has not demonstrated a reasonable expectation that he will once again be imprisoned in the Lockdown Unit and subjected to the same conditions. Thus, despite Jones's contention to the contrary, his case does not fall within the exception to the mootness doctrine. See *Spencer v. Kemna*, 523 U.S. 1, 17-18 (1998).

Jones argues that the MJ erred in dismissing his complaint on the grounds that he failed to exhaust his administrative remedies. The MJ's dismissal in this regard relied on Jones's statements made at the omnibus hearing. We cannot effectively review this issue because Jones has failed to provide a transcript of the hearing. We therefore dismiss Jones's appeal. *Richardson v. Henry*, 902 F.2d 414, 416 (5th Cir. 1990).

APPEAL DISMISSED.